



Gp 3727

PATENT APPLICATION
DOCKET NO.: 47097-00057

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:
Toby R. Thomas et al

Serial No.: 09/422,510

Filed: October 21, 1999

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Group No.: 3727

Examiner:

For: Fill-Through-the-Top Package and Method and Apparatus for Making the Same

Box PATENT
Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING

I hereby certify that this paper or fee is being deposited with the
U.S. Postal Service as first class mail on the date indicated
below and is addressed to the Assistant Commissioner for
Patents, Washington, D.C. 20231

Date

June 20, 2000

Signature

Jackie A. Ald

AMENDMENT TRANSMITTAL LETTER

Dear Sir:

This is a Second Supplemental Preliminary Amendment in the above-identified application and includes the transmitted herewith attachment(s) of the same date and subject which are incorporated hereunto by reference. The signature below is to be treated as the signature to the attachment in absence of a signature thereto.

Transmitted herewith in the above-identified application are:

- 1) Amendment Transmittal Letter (in duplicate);
- 2) Amendment;
- 3) Check in the amount of \$96.00 for filing fees;
- 4) Acknowledgment Postcard.

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DOCKET NO.: 47097-00057

 No additional fee is required.

 X The Fee for entering the attached Amendment is calculated below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST # PREVIOUSLY PAID FOR	=	PRESENT EXTRA		SMALL ENTITY RATE		LARGE ENTITY RATE	
TOTAL CLAIMS	53	-	52 (at least 20)	=	1 (at least 0)	x9	= <u>OR</u>	x18	=	\$18.00
INDEP. CLAIMS	9	-	8 (at least 3)	=	1 (at least 0)	x39	= <u>OR</u>	x78	=	\$78.00
FIRST PRESENTATION OF <u>PROPER</u> MULTIPLE DEPENDENT CLAIMS (leave blank if this is a <u>reissue</u> appln)						+130	= <u>OR</u>	+260	=	\$_____

FEE FOR CLAIM AMENDMENTS **\$96.00**

 IDS ATTACHED REQUIRES OFFICIAL FEE - ADD \$240 (RULE 1.97(c)) PETITION) \$_____

 Assignment Recordation Fee (\$40) \$_____

 IF TERMINAL DISCLAIMER attached add Rule 20(d) Official Fee \$_____

	\$55 (Small Entity)	\$110 (Large Entity)
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Petition is hereby made under 37 CFR 1.136(a) to extend the original due date to cover the date this response is filed for which the requisite fee is attached:

	Small Entity	Large Entity
One Month	_____ \$ 55	_____ \$110
Two Months	_____ \$190	_____ \$380
Three Months	_____ \$435	_____ \$870
Four Months	_____ \$680	_____ \$1360

ADDITIONAL FEE FOR EXTENDED RESPONSE \$_____

Applicant has not been notified that the requested extension will not be permitted. The present application is not involved in an interference declared pursuant to 37 CFR 1.611.

TOTAL FEES **\$96.00**

 X A check in the amount of \$_____ to cover the TOTAL FEE is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0447.

 Please charge my Deposit Account No. 10-0447 in the amount of \$_____ to cover the TOTAL FEE. This sheet is attached in duplicate.

CHARGE STATEMENT: If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or

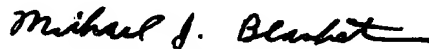
concerning any paper file hereafter, and may be required under 37 CFR 1.16-1.18 (missing or insufficiencies only) now or hereafter relative to this application and for the resulting Official Document under 37 CFR 1.20, OR credit any overpayment to our Deposit Account No. 10-0447, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Respectfully submitted,

JENKENS & GILCHRIST,
A Professional Corporation

By:



Michael J. Blankstein
Registration No. 37,097

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Fax: 214/855-4300

(Send this document in duplicate)

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CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on the date below:

6-22-00
Date

Jackie Bell
Signature

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Thomas et al.

Serial No.: 09/422,510

Filed: October 21, 1999

For: FILL-THROUGH-THE-TOP PACKAGE
AND METHOD AND APPARATUS FOR
MAKING THE SAME

Group Art Unit: 3727

Examiner: Unknown

Atty. Docket No.: 47097-00057

SECOND SUPPLEMENTAL PRELIMINARY AMENDMENT

Box PATENT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Prior to examination of the above-identified patent application, please amend the application as follows:

IN THE CLAIMS:

Please amend claims 40, 41, 44, and 46 as follows:

140. (Once Amended) A method of ~~making and~~ filling a package, comprising:
providing a package including first and second opposing body panels joined along a pair
of sides and a bottom bridging the sides, the package including a fastener attached to the first
body panel along a mouth portion of the package disposed opposite the bottom, ~~the fastener~~
~~including a pair of tracks joined to each other along a breakable area of weakness,~~ the fastener

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01 FC:102
02 FC:103

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